

# DARBY & DARBY

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 FRANKFURT

## INTELLECTUAL PROPERTY LAW

DATE: September 24, 2007

FILE #20294/0204357-US0:

FACSIMILE NO.	RECIPIENT AND COMPANY	CONFIRMATION WILL FOLLOW
571-273-0459	PCT Legal Dept Patent & Trademark Office	No

FROM: Julian A. Williams

E-MAIL: [jwilliams@darbylaw.com](mailto:jwilliams@darbylaw.com)

PHONE: 917.286.2940

NO. OF PAGES: 12  
(including cover page)

COMMENTS:

**PLEASE RETURN TO JULIAN A. WILLIAMS**

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EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR  
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Docket No.: 20294/0204357-US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: John Talbot Boys

Serial No.: 10/595,561

Filed: February 6, 2007

For: COMMUNICATION APPARATUS AND METHOD

REQUEST FOR CORRECTED FILING RECEIPTCommissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.
2. There is an error with respect to the following data, which is:

- ☐ incorrectly entered and/or  
☒ omitted.

Error in	Correct data
<input type="checkbox"/> Applicant's name	
<input type="checkbox"/> Applicant's address	
<input type="checkbox"/> Title	
<input type="checkbox"/> Filing Date	
<input type="checkbox"/> Application Number	
<input checked="" type="checkbox"/> Power of Attorney	The Power of Attorney is associated with customer # 07278
<input checked="" type="checkbox"/> Other	Assignment For Published Applicant <b>Auckland Uniservices Limited, Auckland, New Zealand</b>

Remarks:

Enclosed please find a copy of the Application Data Sheet and Declaration/ Power of Attorney.

The Commissioner is respectfully requested to issue a new and correct Filing Receipt.

Respectfully submitted,

Dated: September 21, 2007



\_\_\_\_\_  
Flynn Barrison  
Reg. No. 53,970  
Agent for Applicant(s)

DARBY & DARBY P.C.  
P.O.Box 770  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1459  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	TOT CLMS	IND CLMS
10/595,561	02/06/2007	2622	2330	20294/0204357-US0	38	5

7278  
 DARBY & DARBY P.C.  
 P.O. BOX 770  
 Church Street Station  
 New York, NY 10008-0770

CONFIRMATION NO. 2799

## FILING RECEIPT



\*OC000000025640718\*

Date Mailed: 09/05/2007

Receipt is acknowledged of this nonprovisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

John Talbot Boys, Auckland, NEW ZEALAND;

Power of Attorney: None

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/NZ04/00274 10/29/2004

## Foreign Applications

NEW ZEALAND 529291 10/31/2003

If Required, Foreign Filing License Granted: 08/30/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/595,561**

Projected Publication Date: 12/06/2007

Non-Publication Request: No

Early Publication Request: No

Computer

Data Entry

Indexing

Filing

Card

Letter

Workload Flg-

**Title**

Communication Apparatus and Method

**Preliminary Class**

348

**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**Application Data Sheet****Application Information**

Application Type::	Regular
Subject Matter::	Utility
Suggested Group Art Unit::	N/A
CD-ROM or CD-R?::	None
Sequence submission?::	None
Computer Readable Form (CRF)?::	No
Title::	COMMUNICATION APPARATUS AND METHOD
Attorney Docket Number::	20294/0204357-US0
Request for Early Publication?::	No
Request for Non-Publication?::	No
Suggested Drawing Figure::	2
Total Drawing Sheets::	4
Small Entity?::	No
Petition included?::	No
Secrecy Order in Parent Appl.?::	No

**Applicant Information**

Applicant Authority Type::	Inventor
Primary Citizenship Country::	New Zealand
Status::	Full Capacity
Given Name::	John
Middle Name::	Talbot
Family Name::	Boys
City of Residence::	Auckland
Country of Residence::	New Zealand
Street of mailing address::	2/41 Dominion Street Takapuna
City of mailing address::	Auckland
Country of mailing address::	New Zealand
Postal or Zip Code of mailing address::	1309

**Correspondence Information**

Correspondence Customer Number:: 07278

**Representative Information**

Representative Customer Number:: 07278

**Domestic Priority Information**

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	National Stage of	PCT/NZ2004/000274	10/29/04

**Foreign Priority Information**

Country::	Application number::	Filing Date::	Priority Claimed::
New Zealand	NZ 529291	10/31/03	Yes

**Assignee Information**

Assignee name:: Auckland Uniservices Limited  
Street of mailing address:: Level 10, 70 Symonds Street  
City of mailing address:: Auckland  
Country of mailing address:: New Zealand  
Postal or Zip Code of mailing address:: 1001



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**DECLARATION FOR PATENT APPLICATION**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is described and claimed and for which a patent is sought on the invention entitled:

**COMMUNICATION APPARATUS AND METHOD**

the specification of which was filed on October 29, 2004 as Application No. PCT/NZ2004/000274 and amended on April 26, 2006.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein. I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigned more than twelve months prior to this application.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

**FOREIGN PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

- ☐ no such foreign applications have been filed
- ☒ such foreign application have been filed as follows:

Attorney Docket No.: 20294/0204357-US0

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119
NZ 529291	NZ	October 31, 2003	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing

**CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS**

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☒ no such U.S. provisional applications have been filed.

☐ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

Attorney Docket No.: 20294/0204357-USO

☒ no such U.S./PCT applications have been filed.☐ such U.S./PCT application have been filed as follows:

Application Number	Date of Filing	Status (Patented/Pending/Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the practitioners under Customer Number

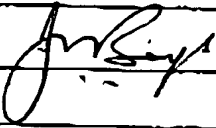
07278

jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

Please mail all correspondence to Customer Number 07278, whose address is:

Darby & Darby P.C.  
P.O. Box 5257  
New York, New York 10150-5257

Attorney Docket No.: 20294/0204357-USO

Full name of sole or first inventor <b>John Talbot Boys</b>	
Sole or first inventor's signature 	Date <b>6/9/06</b>
Residence <b>Auckland, New Zealand</b>	
Citizenship <b>New Zealand</b>	
Mailing Address <b>2/41 Dominion Street Takapuna Auckland 1309 NEW ZEALAND</b>	

Full name of second inventor, if any	
Second inventor's signature	Date
Residence	
Citizenship	
Mailing Address	

Full name of third inventor, if any	
Third inventor's signature	Date
Residence	
Citizenship	
Mailing Address	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Mailing Address	

\*\*\*\*\*  
\*\*\* RX REPORT \*\*\*  
\*\*\*\*\*

RECEPTION OK

TX/RX NO	8863
RECIPIENT ADDRESS	212 608 6732
DESTINATION ID	
ST. TIME	09/24 08:35
TIME USE	02'20
PGS.	12
RESULT	OK